



U.S. House of Representatives Committee on the Judiciary F. James Sensenbrenner, Jr., Chairman

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News Advisory

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Sensenbrenner Releases Report on Immigration

Stunning Conclusions – Strong Enforcement of Immigration Laws and Tough Sanctions Can Effectively Reduce Illegal Immigration

WASHINGTON, D.C. – House Judiciary Chairman F. James Sensenbrenner (R-Wis.) today announced the release of a report

<http://judiciary.house.gov/media/pdfs/lawlibrimmreport5506.pdf> conducted by the Law Library of Congress that finds that strong enforcement of immigration laws and tough sanctions can effectively reduce illegal immigration. The study entitled, “Immigration Law Sanctions and Enforcement in Selected Foreign Countries,” evaluates the policies and practices of Brazil, Egypt, Japan, Mexico, Sweden, and Switzerland. These countries were selected to provide a geographically and racially diverse group for comparison purposes.

Chairman Sensenbrenner said, “This study refutes the canard promoted by the illegal immigrant lobby here that the House-passed legislation’s efforts to prevent illegal immigration and control the border cannot work. For example, Japan’s tough sanctions against employers of illegal workers are effective in preventing illegal immigration. Therefore, the House’s effort to stiffen penalties against employers hiring illegal workers can help shut off the job magnet that lures millions of immigrants to enter the U.S. illegally.”

“The study reports that ‘illegal immigration is a worldwide problem’ and that Japan and Switzerland are the most effective of those countries studied in enforcing their immigration laws. With all of the blustery rhetoric coming from opponents about a ‘harsh’ and ‘draconian’ House bill and the pontificating coming from foreign officials about how the U.S. should structure and enforce its immigration policies, I note that five out of the six countries studied – including Mexico – make illegal entry and unlawful presence a criminal offense. In reality, the House bill would bring U.S. immigration law more into line with most countries,” added Chairman Sensenbrenner.

Report’s Highlights:

- **All the countries surveyed face pressure from illegal immigration.**
- **Japan and Switzerland are most effective in enforcing their immigration laws.** Illegal immigration is viewed as harmful in these countries and enforcement

mechanisms include the registration of aliens by the local authorities. Mexico also has a register of aliens that is maintained by the federal authorities.

- **All countries except for Brazil have criminal penalties for illegal entry and presence**, and all countries have substantial criminal sanctions for various forms of fraud and forgery relating to immigration.
- **Employers of illegal aliens are punished most severely in Japan**, with a maximum prison penalty of three years. Sweden provides a punishment frame of up to one year, and Egypt one of up to three months.
- **Egypt has the largest illegal immigration problem**, having as many as five million refugees from Sudan, compared to a total population of close to seventy-two million.
- **Switzerland and Japan have the smallest illegal immigration problem** even though illegal immigrants are drawn to these countries because of employment opportunities and high wage levels. Switzerland has 90,000 illegal immigrants among a population of 7.5 million.
- **Japan has showed a sizeable decrease in illegal immigration over the past ten years; in addition, the government aims to further reduce the number of illegal immigrants by half over the next five years.** There were 220,000 illegal immigrants present in 2003, compared to 298,646 in 1993. In 2003, Japan had a total population of almost 128 million.
- **All the surveyed countries have criminal sanctions for violations of immigration law.** The sanctions mostly take the form of penalties of imprisonment that can be applied instead of, or, in addition to, fines. Moreover, the laws of all the surveyed countries call for the expulsion or deportation of illegal aliens and the denial of entry to those encountered at the borders.
- **Mexico has the harshest punishment frame for repeat illegal entry offenders**, who are subject to a maximum prison sentence of ten years. First-time offenders are punishable with up to two years imprisonment.
- **Mexico criminally sanctions illegal presence with a prison term of up to six years.** (By contrast, Chairman Sensenbrenner and the Republican Leadership seek to make illegal presence a misdemeanor – it's currently not a crime – punishable by up to six months in jail.)
- **All the surveyed countries provide higher punishment frames for fraudulent conduct that relates to illegal immigration.** The highest penalties are found in Mexico addressing a wide range of offenses relating to immigration fraud. Among these is a punishment frame of two to six years for providing false information to the authorities, and up to five years imprisonment for claiming a false immigration status. A maximum penalty of five years also applies to marriage fraud.

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